

FEB 12 2001

TITLE 413, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 1

**NEBRASKA DEPARTMENT OF ROADS
PROJECT DEVELOPMENT DIVISION**

**RULES AND REGULATIONS CONCERNING
CONSULTANT SERVICES**

Title 413 - NEBRASKA DEPARTMENT OF ROADS - PROJECT DEVELOPMENT DIVISION

Chapter 1 - Consultant Services

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Consultant Selection Procedures and Consultant Certification	81-1701 through 81-1721	001

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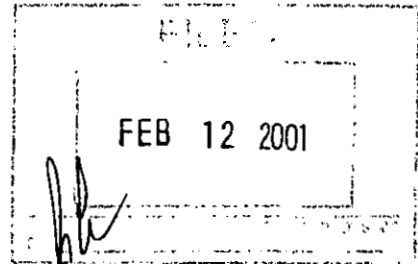
Chapter 1 - Consultant Services

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Last Issue Date: February 27, 1998

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Chapter 1 - Consultant Services

001 CONSULTANT SELECTION PROCEDURES AND CONSULTANT CERTIFICATION. Under authority of, and in compliance with 81-1701 through 81-1721 Neb. Rev. Stat., the following rules and regulations are prescribed by the Nebraska Department of Roads.

001.01 PURPOSE. To provide procedures to be followed for the selection of consultants to perform professional architecture, engineering, landscape architecture or land surveying services for the Nebraska Department of Roads.

001.02 SCOPE. Procedures outlined herein are intended to be in accordance with 81-1701 through 81-1721 Neb. Rev. Stat. Such procedures are to be followed when professional services are required to be contracted for a project whose basic construction cost is estimated to be more than four hundred thousand dollars or for professional services when the estimated fee for such services exceeds forty thousand dollars.

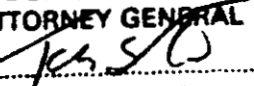
001.03 GENERAL. Highway related projects for design or study may be required to be performed by consulting firms when the current workload of the State of Nebraska, Department of Roads staff is such as to preclude the timely completion by State of Nebraska, Department of Roads forces or when such work is of such a highly technical nature that specialized professional services are required. To provide managerial control over competitive negotiations, the following procedures will be observed for the selection of Consultants, when such services are required.

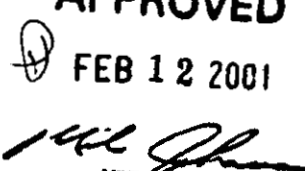
001.04 NOTICE OF INTENT. Public notice shall be given for any project whose basic construction cost is estimated to be more than four hundred thousand dollars, or if the estimated fee for professional services exceeds forty thousand dollars except in cases when the Director-State Engineer certifies that a public emergency exists. The public notice shall include a general description of the project and shall indicate how interested firms can apply for consideration for such projects. As a minimum, said notice shall be given for three consecutive weeks in a newspaper of state-wide circulation.

001.05 CONSULTANT STATEMENT OF QUALIFICATIONS

001.05A DR FORM 497. ARCHITECT, ENGINEER AND RELATED SERVICES CERTIFICATION FORM - Firms interested in providing professional services for the Department of Roads shall annually submit a DR Form 497 "Architect, Engineer and Related Services Certification Form." Such information may be updated before the anniversary date to reflect changed conditions of the firm.

A firm must have a current DR Form 497 and received certification from the Department of Roads in order to be eligible to respond to a notice of intent. Firms wishing to perform work on Federal-Aid projects for local governments must be certified.

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BY 
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DATE 2/5/2001

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Chapter 1 - Consultant Services (Continued)

001.05B DR FORM 498, DETAIL SUPPLEMENT - A firm must submit DR Form 498 "Architect, Engineer and Related Services Detail Statement" with the letter of interest when responding to a notice of intent.

001.06 WHERE TO OBTAIN FORMS. DR Forms 497 and 498 may be obtained in person or by mail from the Nebraska Department of Roads, Agreements Engineer, Box 94759, Lincoln, Nebraska 68509-4759.

Completed forms are to be returned to the same address.

001.07 COMMITTEE REVIEW. A committee consisting of the appropriate Deputy State Engineer and appropriate Division Head, or their designated representative of the Division for which services are being provided, Agreements Engineer and two members-at-large as designated by the Director-State Engineer will be responsible for the review and evaluation of consultants responding to the public notice of intent.

Following receipt of the letters of interest for a project, the review committee will meet and reduce to three, the number of firms for further consideration.

Factors to be considered in selecting the three firms include:

1. Location of project in proximity to Consultants office and Consultant familiarity with the area.
2. Commitment of staff and ability to perform the desired services within the time prescribed.
3. Recent experience with similar work.
4. Experience with Federal Agencies or utilities and railroads when applicable.
5. Other workload which could affect performance.
6. Size of firms staff.
7. Ratings of performance for previous work with the Department of Roads or other agencies where similar work was performed.
8. Present and past work with State and/or Federal-Aid projects.

The committee shall then conduct discussions with the three most qualified firms regarding their qualifications, approach to the project and ability to furnish the required service.

Following the discussions, the committee shall rank the firms in order of preference. If the two most qualified firms are considered to be equal, the firm having the least volume of work previously awarded by the Department of Roads will be ranked first. The committee will submit the rankings along with the factors accounting for the rankings to the Director-State Engineer.

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001.08 NEGOTIATIONS. The Agreements Engineer with assistance from the Division responsible for the work will prepare a preliminary estimate of the cost for said services prior to the notice of intent. Following the selection of the firm deemed most qualified, the Agreements Engineer will proceed with negotiations. Negotiations shall continue until an agreement is reached or officially terminated.

In the event negotiations are terminated, the second most qualified firm will be contacted and negotiations will be initiated. The procedure will be repeated until an agreement is reached. In all cases where negotiations are terminated, the reasons and facts surrounding those negotiations shall be recorded in writing and submitted to the Director-State Engineer and to the engineering firm.

Should the Department be unable to negotiate a satisfactory contract with any of the three selected firms, the committee shall select additional firms in order of qualification according to procedures prescribed in Section 001.07. Negotiations shall then continue until an agreement is reached or until all firms have been contacted. Should no agreement be reached, the terms of the contract under negotiation shall be reviewed to determine the possible cause(s) for failure to achieve an agreement.

ANNOTATION

Title 413
Chapter 1
Section 001

Enabling Legislation
81-1701 through 81-1721
Neb. Rev. Stat.

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